

STAFFORD COUNTY PLANNING COMMISSION

April 7, 2010

The meeting of the Stafford County Planning Commission of Wednesday, April 7, 2010, was called to order at 6:34 p.m. by Chairman Gordon Howard in the Board of Supervisors Chambers of the County Administrative Center.

MEMBERS PRESENT: Howard, Fields, Rhodes, Hazard, Mitchell, Kirkman and Hirons

MEMBERS ABSENT: None

STAFF PRESENT: Baker, Roberts, Stinnette, Stepowany, Hess and Johnson

DECLARATIONS OF DISQUALIFICATION

Mr. Howard: Are there any declarations of disqualification on any business that is before us this evening? Hearing none, we will move onto the unfinished business. And for those of you in the audience, we will stop at 7:30 p.m., do public presentations and then move into the public hearing. So, the first item that is on our agenda for the unfinished business is actually the Redevelopment Area Plans. There was the Boswell's Corner that we've looked at, Courthouse, Southern Gateway and then Falmouth. And I think, as you will recall, Mr. Fields and Mr. Hirons were going to do some additional homework I'll call it on the Falmouth Village section. I know it was included in the packet. I don't know though if Mr. Hirons and Mr. Fields...

UNFINISHED BUSINESS

1. Redevelopment Area Plans - Boswell's Corner, Courthouse Road, Southern Gateway and Falmouth Village (Southern Gateway and Falmouth Village in Committee - Peter Fields and Scott Hirons) **(Deferred to April 7, 2010)**

Mr. Fields: We have not had a chance to meet with the Supervisors which was really part of the deal.

Mr. Howard: Okay.

Mr. Fields: If I could have your indulgence on that for another couple of weeks to pull that together.

Mr. Howard: Absolutely. Is there anything tonight that you wanted to...

Mr. Fields: I have no questions on this; if Mr. Hirons does, that's fine.

Mr. Hirons: No, I don't have anything.

Mr. Fields: Okay.

Mr. Hirons: Mr. Fields, did you want to ask staff to arrange the meeting time and notification?

Mr. Fields: Yeah, we probably need to get the facilitation of the County Administrator to get Ms. Stimpson and Mr. Crisp, along with Mr. Hirons and myself. I just ran out of meeting time in the last two weeks.

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Mr. Howard: So, the request then is for staff to coordinate some meeting between two Supervisors and yourselves. Would you want to move it to the May meeting? May 5th?

Mr. Fields: Yeah, we should be able to achieve that by then.

Mr. Howard: Okay. So, we'll move that to the May 5th meeting.

Mr. Fields: Okay.

Mrs. Baker: Would you like the Economic Development staff back at that meeting? They were here tonight in case you had any questions of the information that was submitted.

Mr. Howard: That would be wonderful if they wouldn't mind doing that.

Mr. Fields: That's probably good.

Mr. Howard: We apologize.

Mr. Fields: Sorry about that.

Mr. Howard: Thank you Mrs. Baker. And item 2 is deferred to May 5th. Item 3 we're going to hold on that for the moment. Item 4 is the Comp Plan and I don't know if Mrs. Hazard will have time later to get a committee report but, if there is anything that your committee wants to bring to the table, we can talk about that now.

2. Groundwater Management Ordinance (**Deferred to May 5, 2010**)
3. Reservoir Protection Overlay District (**Time Limit: January 29, 2010**) (**Deferred to May 19, 2010**)
4. Amendments to the Comprehensive Plan (**Time Limit: June 1, 2010**) (**In Comp Plan Committee**)

Mrs. Hazard: Really, where we are right now is we had gotten through most of the first section. We have two more sections to complete and then many of the tables and appendices we have requested staff to update with revised figures since some of the figures were two years. So we are going to probably have a break in our meetings while that is updated and also awaiting guidance from the Land Use portion of the Plan because some of the portions we have put on hold that are impacted by that part. The Transportation Subcommittee gave their comments already to us and we have incorporated those.

Mr. Howard: Okay.

Mr. Hirons: Mr. Chairman, have we heard from I guess the Board members that are going to be on the Land Use Subcommittee?

Mr. Howard: We have actually, and the first meeting we are going to hold is this Saturday. I know this is short notice but they were able to get a date last night apparently confirmed and it's Saturday at 7:30. Recognizing that's short notice, I certainly will be there in the morning just to understand

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everyone's perspectives. But, Mr. Fields and Mr. Hirons, you were the other two on that committee so I am not sure if you are available, again, recognizing it's short notice.

Mr. Hirons: As long as you're bringing doughnuts.

Mr. Fields: When and where?

Mr. Howard: Seven thirty a.m. here and I think it's Conference Room ABC. I'll bring coffee

Mr. Fields: This Saturday?

Mr. Howard: Yes. Do you drink coffee?

Mr. Fields: Oh yeah.

Mrs. Baker: Mr. Chairman, they may be meeting in this room because there was some concern about access into the building and the Board does have keys to this from the outside entrance.

Mr. Howard: Oh, okay. So we'll be meeting in the Board Room.

Mrs. Baker: I believe it is going to be in this Board Chambers.

Mr. Fields: I will have to see my schedule.

Mr. Howard: Alright. You know what? I will make sure that we get the remaining dates settled and solidified on Saturday and get those out. And then hopefully people can attend and participate.

Mr. Fields: Okay.

Mr. Howard: And, again, I apologize for the short notice; we just confirmed last night. Does that answer your question Mr. Hirons? That's the first meeting anyway, and I think there will be at least three I would imagine, or more. But a minimum of three, I would think. Okay. Number 5 is deferred and number 6 we are going to hold and combine that with item 3. Later on we can get to the New Business and then come back to item 6 and 3 and talk about that, because there were some decisions made at the Board. And I think in the Planning Director's Report, which we'll ask Mrs. Baker to go over what the Board decided last night, but we'll go through the Quantico presentation if, in fact, he's here and ready. Yes. Okay, great. So, Mr. Rumora, if you would like to come forward and take us through your presentation.

5. Elimination of the Preliminary Subdivision Plan Process (**Deferred for legal analysis**)
6. Rappahannock River Overlay District (Deferred to subcommittee - Peter Fields, Ruth Carlone, Friends of the Rappahannock and Rappahannock River Basin Commission) (Request sent to Board of Supervisors for indefinite postponement)

Discussed after item 8.

NEW BUSINESS

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7. Presentation on Base Realignment Act, Activities at Quantico - Tom Rumora

Mr. Rumora: Thank you. Tom Rumora. You should have a stapled packet and a loose page and what I would propose to do is briefly kind of go through the packet. Some of these items you may have already received from planning staff, but if I could just go through them quickly and then we would be happy to entertain questions for the remainder of the time that you would like. Page one is really a history of BRAC and, my simplified explanation, not everybody has had the opportunity to study what is really is and I tried to simplify it there. The next couple of pages are a more thorough explanation back from 2005 and the official BRAC website at the time. It's interesting sometimes to look back and see what they were thinking and how they explained things at that time. Page 7 is the official language that directed the activities that are coming to Marine Corps Base Quantico; probably more technical than you may need. But I highlighted, for instance, the acronyms used for the agencies that are coming to Quantico. So, if somebody is interested in DSS or something, they can see where DSS is mentioned in that language. The next page I would highlight would be page 10 which is a very simplified map showing where the entities are coming from who are headed for the target down in the lower left, which is Marine Corps Base Quantico. They are not coming from very far and, unlike other moves around the Country where people are going from Texas to the East Coast or West Coast to Guam or whatever, our moves are fairly local. And this has an impact on the relocation of employees who, in some cases, will stay where they are and try to commute rather than moving to Stafford and Prince William Counties.

Mr. Howard: Mr. Rumora, is there any information, intelligence, on where would those people live today?

Mr. Rumora: That is not completely clear. The process of moving them and finding out, first of all, who is moving and who isn't, is ongoing and has been for the last year or so. The only explanation we have is that typically folks who currently work at Marine Corps Base Quantico, two-thirds of them or more come from the south. So if these folks follow the same pattern, two-thirds or more of them will live south of the base. Now, that could be far south; it may skip over Stafford but that's the only data that we have that indicates where people might be coming. Again, there are a number of people that can't sell their houses in Maryland, who don't want to move from the District or the suburbs or something and are going to try to commute. Some will be successful, others will find that disappointing, and so this will take years to shake out. It's not something that will occur all at the same time.

Mr. Howard: Thank you.

Mr. Rhodes: Mr. Rumora, haven't each of the organizations that are involved though done individual employee surveys for traffic management plan purposes or other purposes?

Mr. Rumora: There have been a number of surveys. I would diplomatically point out that there is no benefit to an employee to say "I'm not going". So there is a temptation for everyone to say "yes, we're moving" only to find out that they're not really moving.

Mr. Rhodes: Right, but I thought all those identified all the zip codes or areas that they currently live so you do have a profile of where all the employees are currently based.

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Mr. Rumora: We have some of that from one or two agencies. Others have considered that to be privileged information and are reluctant. Remember, these are cleared defense intelligence agencies and so there is some reluctance to give out...

Mr. Rhodes: General zip codes of where folks are residing?

Mr. Rumora: We don't have that from every agency sir.

Mr. Rhodes: Okay. Thank you.

Mr. Hirons: Mr. Rumora, one other question somewhere within that topic. Is there a... and I'm just not seeing it here... a percentage of these folks, are they uniformed military or mostly civilian employees?

Mr. Rumora: On the next page, 11, at the top you have a breakout of how many from each agency, which are civilian, which are military and which are contractor.

Mr. Hirons: Thank you.

Mr. Rumora: And I would point out that one of those agencies, DSS, has grown by a couple of hundred people since the 2005 decision was made, so there is actually an addition that may be added to the building that is under construction now to house these additional people. Also, the number of contractors; that was a number at the time the decision was made. There may be fewer contractors, particularly as insourcing is becoming more prevalent. These numbers always take a little bit of explanation to be accurate. Also, page 11 is kind of a, I apologize for the small type, that's about as much as I can squeeze on the front of one page, but it's a quick handy reference if you wish to give that to folks. I can certainly supply that electronically and it's a good quick reference for people who say "tell me something about this, how does it work". It has web links at the bottom, points of contact and seems to work pretty well for people who want a quick explanation of how it works and accesses to resources to get more information. The next page is page 12; again I'm referring to the handwritten lower right corner, not the typewritten page number on some of the documents. This was during the EIS processes, slightly before my time, the community as is typically done at every BRAC installation, there's an Environmental Impact Statement and the community has the opportunity to make comments. This is my own distillation of some of those comments. It is not in priority order; it is simply extracted from various comments that were made along the way. I would point out that a few of the items have particular relevance to transportation planning and Boswell's Corner. You will notice items 17, 18, 19, 27 and 28 that are related to transportation improvements, concerns that the community had about the process. I will also say that typically around the Country, the EIS process can be challenging. Communities raise a number of issues that perhaps had been problems before the BRAC decision. They would like to see them addressed, the military can't always solve all those and so there is sometimes disappointment on the part of the community that every item that they raised does not get the attention that they feel is appropriate. That would be true here and other places. So, again, I'm not going to go through all that. It's not an exhaustive list and, again, the documents are very big and thick. But I find this useful when somebody says "just give me an idea of what the community concerns were". Here they are in very brief form.

Mr. Howard: Mr. Rumora, has there been any update to the timeframes or timetable of some of these moves?

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Mr. Rumora: All BRAC 2005 actions are to be completed by law by September of 2011. There are some places in the Country where I have noticed it may not be possible to achieve that. And so either extra money is spent to accelerate the construction and relocation process, or not spend that money and simply admit that some folks are not going to make it. We have no reason to believe that at Quantico, all of these folks won't be sitting in their seats, the ones who choose to come, by September of 2011. This is relatively straightforward; five agencies going into one building, unlike Fort Belvoir and Fort Bliss and San Antonio and other places where there is hundreds of billions of dollars of construction and tens of thousands of people being relocated. It's much more complex in some of the other locations.

Mr. Howard: And are there any requirements... there's a lot of activity in terms of road widening and road improvements and traffic congestion relief. So are there requirements for the BRAC to complete before Quantico incurs those additional employees?

Mr. Rumora: All the road work that BRAC is funding will be done by the time the building is completed and the folks are moving in. I would point out that BRAC is only funding the work that is inside the Base. Nothing on Route 1 and you will hear in just a minute as we talk about what the Quantico Growth Management Committee wants to do. There is also some additional need in the surrounding area, perhaps has been before BRAC even happened, there are limited funds and it's really applying to Russell Road which spans US 1 and 95 and goes from the east side, or the main side of the base, to the west side, and some ramps getting on and off of 95.

Mr. Howard: That's being done right now?

Mr. Rumora: That is being done now.

Mr. Howard: So, I guess the Onville and 610 improvement, the County I guess is doing that.

Mr. Rumora: Yes. That was a separate project that the County received separate funds for. Again, these were points, as you see from the list of EIS comments, the community had concerns about that and VDOT had concerns about that. But there was not sufficient funds, as is almost always the case in every BRAC community, there is not sufficient funds to address all the community's concerns.

Mr. Howard: Right. Thank you.

Mr. Rumora: Page 13 is the official plan of the Quantico Growth Management Committee adopted in March of 2009. I will simply jump to the last page of that plan to summarize it, which is page 26. You will see that there are four major categories of attention; transportation being at the top and also consuming forty-five percent of essentially my energy. And our attention to the others are work force in small business, lodging and communication. There are subtasks under each one and, again, I won't go through all of that but simply to say that the first priority under transportation was to find funding for the highest priority project. That has been identified as widening Route 1, basically from gate to gate, from Joplin Road to Boswell's Corner. And that is the priority of the Quantico Growth Management Committee and funds are being sought now to begin the preliminary engineering and environmental work for that road widening project. And that was the intent of having a plan like this was to concentrate and focus and advocacy and energy of this two-county entity into a specific project. And that is now going on. Also you will notice that the notional time boxes to the right, some of them continue into late 2011 or perhaps beyond. Not everything will be done in September of 2011; there will be vacant seats, some road improvements may not... certainly US 1 widening is not going to be

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done by then. So there will be ongoing activities that go beyond 2011 that we will refer to as being caused by or influenced by BRAC that will not be finished by the time people move into the building. Again, I am going quickly here but we can come back around for questions. Page 27 is the Press Release announcing the Quantico Growth Management Committee's choice of US 1 widening as its priority project. And, some of you may have seen this before, the two and a half million dollars that is referenced there is for preliminary engineering and environmental work. The total cost of the project is unknown at this time but would be probably tens of millions of dollars. This is a segment that spans both Prince William and Stafford County; it essentially is the part of US 1 that goes through, if you want to use the word through, the base. It bisects the base. And eventually widening this and points north and south would all fit into a long term logical strategy. Page 29 is an explanation of the Defense Access Roads Program. As it turns out, I mentioned earlier that DSS is growing. That growth triggers what's called DAR and DAR is a mechanism to use military funds outside the gate. So there is now working, and working meaning a proper application and review process, a seven million dollar funding request to improve the intersection of Telegraph Road and US 1 in Boswell's Corner due to the increased traffic that DSS growth has created at the new building that is being built. So, although this wasn't known and this is not BRAC in the strictest sense because the growth of DSS was post-BRAC; nevertheless, it's growth anyway. They are supposed to go into a building. They can't all fit into the building and, so, by sort of default logic, these funds now can be applied for and we hope that they are secured. And then the US 1 widening project that QGMC has in mind will integrate with the improvements at the intersection of Telegraph and US 1 and it will be a coherent integrated project that everybody will work together and it will all fit nicely together, hopefully. Just to explain how that all works, the last page, page 31, is a very simplified diagram of how this works. The map on the left shows the project area that the Quantico Growth Management Committee has selected and that runs from Triangle to Boswell's Corner, or Joplin Road to Telegraph Road. The bars, or the vertical columns, on the right-hand side are four different possibilities. The preferred optimal choice is column A which includes the full two and a half million dollars to do the engineering and environmental work, and the DAR project down at the intersection of Telegraph Road. If we do not get the DAR project or we do not get the two and a half million dollars, you will notice referenced is \$625,000; that money is being applied for from the Office of Economic Adjustment, a part of DoD, that helps communities deal with BRAC impacts. We have reason to believe that \$625,000 may be available and, if that's all we get at this time to do engineering, we will only be able to do a portion of the engineering. And that has been decided to start at the north and there would then be a gap, you will notice column B has a no action area that is essentially from Russell Road down to Telegraph Road. That's as far as we would be able to get with \$625,000. So this is just an easy way, a very stylized way, without being engineeringly precise to explain what the sum of the options are, and all of this is under way at this time. I realize that is a pretty fast summary but many of you may know some of this or most of this anyway and I would rather not talk too much; I would rather answer your direct questions and get to the points that you really want to know about. So, feel free.

Mr. Howard: Thank you Mr. Rumora. Are there any questions from any of the Commissioners? Mr. Mitchell.

Mr. Mitchell: Mr. Rumora, looking at the conceptual diagram widening, within reason it basically stops on the corner of Telegraph and the entrance to Boswell's Corner. In your presentation earlier, I believe and I hope I don't misquote you, you said "the majority of people would be heading from the south north". So, I'm a little lost on the concept of widening from Triangle to Boswell's Corner and doing nothing from Boswell's Corner if they are coming from the south. Could you help me understand that?

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Mr. Rumora: Yes. First, I would point out that the two counties that comprise the QGMC are Prince William and Stafford. This project managed to improve segments of both counties and there is a limit to the amount of money that the committee imagined that it might be able to find. So, for instance, there were suggestions at one time to go up to 234. That was determined to be too far north to justify for Quantico impact and also adds a lot more money by trying to go that far north. Likewise, going farther south makes it less likely that you are going to get much money because the numbers are larger and it's harder to get a bite-size piece. So after deliberation, this was felt to be the area of common interest where the base and both counties could agree that this is where they would like to see the improvements. But that doesn't mean that there wouldn't be other improvements beyond obviously. Prince William County today is demolishing as required right-of-way and is rebuilding the Triangle area for about a mile or so north of the main gate to the base. So the anticipation is that this is just one piece of several that will eventually do a much longer area. This was the piece that the committee decided it could bite off and attack.

Mr. Howard: And also just to point of clarification, I think, you indicated the assumption is two-thirds of people who live south of where they are today. They live south of where they work today I should say.

Mr. Rumora: Yes.

Mr. Howard: So that may not necessarily be completely south of Quantico. It may be some of the other bases which are north of Quantico is what I thought you were saying; that the rough estimate is two-thirds of the employees being relocated potentially live south of where they work today.

Mr. Rumora: No, I'm sorry. Two-thirds of the employees at Marine Corps Base Quantico live south of the base. We use the analogy if you assume that 2,800 or 3,000 people moved here, which is not necessarily true because some of them will stay where they are and commute...

Mr. Howard: So, people in Fort Belvoir could live south, you would assume they live south which then they would be traveling... they are heading south versus north to Quantico is what I understood you meant by that.

Mr. Rumora: To some extent there would be people coming from the west, from Culpeper and other areas, coming in Onville Road. There will also be people, some of these folks who are coming to the base obviously, you can see from the map, are currently working and most likely living north of the base. They may continue to come in from the north. Also getting off at Russell Road, the EIS envisioned that there wouldn't be much traffic on Telegraph Road, that the people would get on and off at Russell Road where there is an interchange on 95. Now, some of us believe that Telegraph Road is going to see a lot of traffic. But the analysis done at the time by the Marine Corps and by their consultant indicated that people would get on and off at Russell Road and there was not much need to improve Telegraph.

Mr. Mitchell: I hear your explanation; I don't agree with your explanation, meaning no offense.

Mr. Rumora: No problem.

Mr. Howard: Thank you Mr. Mitchell. Any other questions for Mr. Rumora?

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Mr. Fields: So do we have... and I apologize if it's in here and I haven't sifted it out... just a rough guess, what is the delta between the current and the projected daily vehicle trips in and out of Quantico, before and after BRAC?

Mr. Rumora: I don't have that at my fingertips. One of the, I guess, observations that some people might make is that the impact at Quantico compared to the impact at Belvoir is modest. I think it's going to be about twenty percent, I think the number is somewhere around twenty percent more people, more traffic, but I don't have that accurate data, as opposed to some places that are doubling or tripling their occupants and employees and traffic. I would point out that although it may be modest compared to a massive base, it's still clogged up today. And add more traffic to something that backs up onto US 1 and 95 ramps is a problem. Even if compared to other places, it's not as big. That may be an irrelevant statement.

Mr. Fields: Well, it is because we're not other places.

Mr. Rumora: Correct.

Mr. Fields: And also, if you are hovering at level of service E or F already, then twenty percent more is a serious, serious problem. And I don't think we're functioning at level of service A during peak times with those in and out of Quantico, right?

Mr. Rumora: There are some things going on to try to address the demand and the internal movement at the base. The base has instituted a shuttle bus, operated by themselves, that meets every VRE train and takes people to major employment centers. There is also a taxi, internal, not a commercial taxi. A self-operated taxi by the Marine Corps for people who have a meeting can ride the taxi and not take their personal car. So, there are some efforts under way inside to try to deal with the issues and, obviously, VRE is planning expanded rail track and service to the base. And so the hope is that the combination of internal and external, and this project on US 1, will make a dent in the positive side of trying to handle the demand and the challenges that will have to be solved over the long term.

Mr. Fields: How is VRE going to increase the capacity to the base? Are they going to have reverse trains?

Mr. Rumora: I believe that there is a plan to have additional rail, additional track, and then, in theory, there would be additional cars or additional trips because the additional so called third track would allow more capacity to serve that station.

Mr. Fields: That sounds quite long range, much longer than 2011.

Mr. Rumora: Yes. But I believe some of the funding is in place. Some of the engineering has been done; bridges and right-of-way and things that were questions have been addressed or are on the process of being so. It's not just a notional...

Mr. Fields: If these bases are where they are, as we saw on the map, then this would have to be a VRE going in the other direction of the current VRE's, right, because we are talking about bringing people from the north down to Quantico. Every VRE goes from Fredericksburg up.

Mr. Rumora: Again, if some of those folks, let's say half of the 3,000 or more people, move and then if two-thirds of them move south of the base, then it's likely that some of them would ride the VRE or

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could ride the VRE. And, even if that's true, the question is what additional steps do we need to take, what additional improvements to handle the natural growth of the Marine Corps and the FBI and others. Even if you solve the problem for all the BRAC folks, there's other growth going on that's compounding, sort of draining water out as you try to fill the bucket. So, it's quite a complex issue.

Mr. Fields: So, the expansion of VRE is expanding the conventional model of VRE, it's not actually something as radical as creating a whole other pathway of a southbound commute as well as a northbound.

Mr. Rumora: Not to my knowledge.

Mr. Fields: I mean, it's southbound too in the evening, but you know what I'm saying; north in the morning, south in the evening. So, capacity expansion of that model is what's being discussed, not another rail, not a north to south rail access.

Mr. Rumora: Correct.

Mr. Hirons: Again, kind of along that vein, but is that Mr. Johnson still sitting behind you?

Mr. Johnson: Yes sir.

Mr. Hirons: This question might be something you may be able to answer. I know it's not your specialty or what you do. But do you happen to know, is Stafford County advertising "come live in Stafford County" to these folks that are coming this way and, if they are, are there any areas that are specifically targeted for that. I live in Leeland Station, which is right next to the Leeland VRE Station and there are a ton of people who work in Quantico and take the VRE everyday up there. So, I think it's a great opportunity for Stafford to really advertise and kind of target areas to say come live here in Stafford County and, as a Planning Commission, to keep it within our scope. It's helpful for us to know that so we know where the challenges might pop up here in the fairly near future for people commuting specifically.

Mr. Johnson: Yes sir, Mr. Hirons. Brad Johnson, Redevelopment Administrator. We, and Tom can share in this, we have almost daily discussions about how to coordinate what we do in Economic Development with BRAC. And there are active discussions right now going on between us and Prince William County. The five agencies that are coming down here do have a single point of contact for us with our Human Resources Department and we are working right now on what's the best way for the community to work with the BRAC agencies and try to get them the information that they need to help clarify some of the uncertainty that exists as to whether or not the employees are actually going to move down here or stay up there and commute. And we are trying to answer those questions. I don't think we have anything in place right now, but we are working on addressing that issue. Tom?

Ms. Kirkman arrived at 7:09 p.m.

Mr. Rumora: Over the past year there have been three relocation fairs that we have jointly put on between the two counties and the Quantico/Belvoir Regional Business Alliance. You may know the Alliance, as they are called. And several hundred people from these agencies have come to the community and heard from County officials, real estate people, child care, hospital and others about what's here and why they might want to move here. Candidly the HR folks want to know one way or the other; either they are coming or they're not. And the sooner the HR folks know that, the sooner

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they know whether they have jobs to backfill. So it behooves everyone to bring people here to answer their questions and then get a decision, yea or nay, and are you moving or are you not. We are also currently discussing a road show that the two counties might go to one of the agencies that has asked for this little experiment where we would take a team there to their place, not here for formal presentations at a podium, but sit down in the lunchroom or something and just talk person to person about what it's like, what difficulties might I encounter, and it could be questions about faith groups, it could be questions about sports, it could be questions about anything; whatever that person needs to know to make a decision. And so, we may be doing that in the very near future. So, I guess the answer is yes we are and have been and one of the elements in the action plan that I gave you a copy of is working with the agencies, not just the headquarters management staff on moving desks, but the individual employees whose lives are being disrupted, who never wanted to come here. In fact, I would be candid and say the five agencies didn't ask for this, they don't want to relocate here. At the groundbreaking ceremony, almost every speaker at the groundbreaking ceremony said "well, we're coming, we didn't want to do this but I guess we'll do it". So these are folks who didn't choose to have this decision. And so we are taking that very seriously and trying to give them whatever information to make a decision, yea or nay, and that has been going on in the last year and will continue to all the way through, potentially through September of 11, when the final count of empty seats is actually taken. There may be a scramble to fill those seats because people finally chose not to come.

Mr. Hirons: Great, thank you.

Mr. Fields: Back to that, I know you've had incomplete information. But it would seem if you look at some of these locations, I mean, is it safe to assume that some of these people may already live in Stafford County?

Mr. Rumora: Yes.

Mr. Fields: Do we have any idea of what the scope of that is?

Mr. Rumora: No.

Mr. Fields: No order of magnitude?

Mr. Rumora: No. We are also told that there are some people who are smart enough to be buying houses, and I don't mean that to sound flipping, some people who are making a decision to buy a house now, rent it out to tenants so that when the job actually moves here, they have a place to move in immediately. And so when people say "when are they coming", some of them are already here. They are coming now. They are buying now. They're not maybe moving now. And so it's difficult to know. And one of the other questions often asked and the school district would love to know, how many students, of what age, will live on which street to ride which bus so that we can plan? And the answer is we are not going to know that maybe ever, because the answers that are given on surveys are often not the end answer. And so it's very difficult and it's frustrating for school representatives to not have clear answers. Again, remember, people are coming not because they wanted to. If it was something that everybody was coming and, you know, we all want to move and it's a great opportunity for us, maybe you would have different answers. But this is a frustration for some and a career changing situation.

Mr. Howard: What's the total number of... are you done?

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Mr. Fields: Actually I had one more question. I had a lot of questions, but this is more for Mr. Johnson. Have you done any, even just sort of broad brush scenarios where there are certain tipping points, the assumption of course is that of course the jobs on the base, that's federal jobs so they pay no taxes whatsoever to the County, so the citizens that come to do those and the people that come to do those are not... their cost of services provided by the County is not being offset by their place of employment. So that's a net drain to the County, to the taxpayers of the County. But, of course, the assumption being that there is, of course, a government contracting business as we already see that create an economic gain. In terms of how many people may or may not move down there, have you run any scenarios where the break even is? Like how many people relocating here might generate enough commercial income in contracting to offset the drain on services of the individuals, of the employees. Where there is a break even or where there is a worst case/better case type of thing.

Mr. Johnson: As part of the Redevelopment Plan when we looked at this, there are sort of two answers to your question. We needed to get our arms around the migration issue and what Tom has referred to here is absolutely correct. I mean, this goes back to the Environmental Impact Statement as we were trying to evaluate that. The date just wasn't there. What we used in the Redevelopment Plan was the information out of the EIS because that's the best published information that we have. The economic analysis that you're talking about, we didn't do that specifically for BRAC. We did it within the context of those that would be moving in conjunction with the BRAC relocation. So, I think the specific answer to your question is probably no, but in general, that was included in the Redevelopment Plan effort.

Mr. Fields: In general, it's been always my sense that the expansion of Quantico to date has been an extremely positive economic benefit to Stafford County in terms of employment, at place employment, right?

Mr. Johnson: Yes sir.

Mr. Fields: I mean, that's what we've certainly been told for many years. So the assumption would be that, to some degree, one can expect some economic benefit from this even though the jobs themselves, the actual BRAC jobs, don't translate specifically.

Mr. Johnson: That's correct. We even tried to get from the defense agencies even a range of incomes that would be associated with the kind of people that they might be relocating down here and the information just was not forthcoming. I don't know if they're going to be janitors or systems analysts. It literally is that vague. And that has plagued us since the EIS was released in 2006-7. And this list that Tom refers to, the comments came both from us and from Prince William County. I mean, we are all just very frustrated with it. So, yeah, we tried to include some numbers in the analysis but how accurate they are at this point we really don't know.

Mr. Fields: Okay, thank you.

Mr. Rumora: If I can just add, this is some of the challenge of BRAC and communities who are gainers, have that euphoria when the announcement is made that hey, we're a gainer. And then for the next few years they figure out what it means to be a gainer which is perhaps stressful, stressful on schools, on transportation planning, on some of the issues that have been raised here; so being a gainer has its own challenges. Certainly it's better than being a loser, but it's not easy to be a gainer. I would also point out, one of the questions we are often asked is where are the contracting opportunities? How do I get a piece of the action at the base with my small business? This has also been somewhat

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elusive, particularly because these are headquarter agencies. These are office agencies. They are not weapon agencies. They are not building things. These are headquarters. And so, typically, they are going to be GSA and federal business opts, sort of advertised competitive bids on office type functions and activities. So, somewhat to the disappointment of folks who may have thought otherwise, these folks are basically office folks and there are not a lot of broad ranging opportunities. And once the construction is done, and there are many subcontractors that benefited from the construction, but ongoing it's basically an office.

Mr. Fields: So, then, that sort of answers that last question. Just in rough terms, in terms of the contracting spinoff to offset the burden of the residents, this type of stuff is not high on that scale. The balance here is lower than many other types of defense work.

Mr. Rumora: Again, there were in the original numbers 555 people called contractors who were envisioned to come. That may not be the ultimate number. There is insourcing going on. Also remember these are intelligence investigative agencies. They are not accustomed... they don't buy commodities. And so, information is somewhat understandably limited on the kinds of things that they might do that you are not going to read about in the paper.

Mr. Howard: What was the total number of people expected to move or to be consolidated into Quantico?

Mr. Rumora: About 2,800.

Mr. Howard: Okay, and that's referenced on that map that you gave us.

Mr. Rumora: Yes, and also on the top of the fax sheet.

Mr. Howard: Okay.

Mr. Rumora: And we would be happy to come back periodically and give you updates or, if there are questions, we would be happy to answer them on the fly as you wish. I have given you my card and contact information and would be happy to answer any rumors or give any facts that we have available.

Mr. Howard: Great. Ms. Kirkman?

Ms. Kirkman: Of those 2,800 positions... those are positions moving, not necessarily households moving.

Mr. Rumora: Correct.

Ms. Kirkman: And of those 2,800, it looks like based on the map that you provided to us, the majority of those are located in the DC, Northern Virginia area; which the reverse commute down to Quantico would be much less difficult than people who have to head north. So, in fact, what are the estimates of people who will take the change in employment location but will retain their residence at their current place?

Mr. Rumora: We don't know. Those surveys are under way and, in some cases, some of the agencies have surveyed, some haven't for a year or two. Ultimately, this next year will be the sort of final surveys, I guess. We do not have a good understanding of how many people will actually come and,

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better yet, what we'd like to have is show me the map where they are living today and then tell me which ones of those will be moving. We just don't have that. The process does not provide that kind of information.

Ms. Kirkman: So, in previous experiences where there have been closures and realignments to a nearby within commuting distance, what has the historical experience been around those who retain their current residence but make the change in employment location?

Mr. Rumora: I think it varies by the place that they are moving from and to. There are places that are considered attractive. There are places that are considered less attractive. For instance, if there are people moving to a rural area... we've heard anecdotal comments from the HR Directors that there are people who live in rural Maryland who will not come to the urban area of Prince William and Stafford; think of all the bad things that are there and we're not going because we bucolic rural Maryland. We've also heard at the other end of the spectrum there are people in the posh suburbs of the District who are not coming to Prince William and Stafford because they don't have amenities, they don't have culture, they don't have things that we know and enjoy where we currently live. So you have both ends of the spectrum who have their perceptions based on what, based on some facts, some hearsay, some legends, and it's very difficult to predict. And we keep asking and the HR Directors keep politely saying "we don't know", "we don't know yet". And so, as I mentioned before you came in perhaps, schools are particularly disappointed that they don't get information on which student lives on which street to ride which bus to which classroom. We don't know.

Mrs. Hazard: Mr. Chair, we keep saying we don't know. When is there the drop dead date? Sixty days prior to moving? Ninety days? Six months? That may be more of a federal issue but when somebody finally says, let's say I'm not moving, I found an employment where I can live in my home, stay where I am, at my GS level, whatever it be; I know there's not a requirement they give you a certain amount of time. But then, help me through that process. And I know it still an "I don't know" but at some point there is going to become a time.

Mr. Rumora: There will be some, let's call them catalysts. Even though everybody is supposed to be in the building by September of '11, they will start in early; maybe January let's just say. So a couple hundred people a week for however many weeks will be moving. At that point, you will begin to see the pattern of what the percentage is of people coming and not coming, because their desks and files and computers are being moved. So it's not a theoretical wait till September, although sometimes we say that, that you really won't know until September, I think there will be clues, there will be patterns established early in '11. As we begin to see, in some cases people will jump between the agencies. These five agencies will compete for workers and there is already some of that going on where somebody wants to work for one or the other and will take this opportunity to jump and has the security clearances and experience to do so. So, essentially, with five competitors going into the same building at the same time, there is going to be all sorts of things that happen between them. But I guess the best answer is to say that when the moves begin, patterns will become clear no matter what the survey said.

Mrs. Hazard: Alright. And I guess my follow-on to that is, as a member sitting up here, when those dates and when those waves start to occur, I would like to, even if it's a memo from your office, would like to begin to know the first wave came, 200 jobs, fifty people came. That would just to me be useful information as the process goes on just that we have that continuing dialogue.

Mr. Rumora: I would be happy to do that.

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Mr. Howard: Yeah, I would think that's a great point Mrs. Hazard. I think it would bring Mr. Rumora back a few times before September 2011.

Ms. Kirkman: Could I, Mr. Chair? I just want to clarify that the jobs are coming regardless of whether or not the people currently in them decide to move, the jobs will come. The question is whether or not the people who currently hold those jobs will change their residence when they change their employment location.

Mr. Rumora: Correct.

Ms. Kirkman: Because if they decide not to move, the job will be filled with someone else.

Mr. Rumora: Theoretically. I don't want to be too esoteric about this but if there is some substantial number of people who do not come and the agency cannot have the necessary continuity, I'm not sure what that would trigger. Changes in contracting, changes in rolls, would the agency still say we have 200 empty seats and by golly we're going to inch our way along until all of them. Are we suddenly going to take a dramatic change of philosophy in how we operate this agency? I wouldn't know that. So I don't want to be too casual about saying all of the jobs come and just over time, no matter how many are vacant, they will methodically fill them up to the exotic number that we have given you. I don't necessarily know that. That would seem to be the logical pattern but, if something was very disruptive, there may be some other action taken.

Ms. Kirkman: Is there any reason to believe that those large numbers aren't going to come?

Mr. Rumora: There's no reason at this time.

Ms. Kirkman: Okay. Thank you.

Mr. Howard: Any other questions for Mr. Rumora? No? Thank you very much. We appreciate the update and appreciate your time this evening. Mr. Johnson, thank you as well. We don't really have time and we aren't going to do anything at the moment. The other two items will take actually will take a little more than four minutes I think to talk through. We will take a quick four minute recess until 7:30 and we'll be right back. Thank you.

7:30 P.M.

PUBLIC PRESENTATIONS

The meeting reconvened at 7:32 p.m.

Mr. Howard: I will bring it back t order and we will begin with the public presentations. And this is the part of the evening where anyone from the public may come forward and address the Planning Commission on any subject they wish to discuss. And you have exactly three minutes; there is a little green light on the podium, when it hits yellow you have about a minute left and when it hits red your time is has expired.

Mr. Fields: But not comment on the public hearing, right?

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Mr. Howard: Right. I was going to bring that up. You won't comment on the public hearing that is before us because we do that separately. And we do that after the staff and the applicant have a chance to present what the public hearing is about, the content of what they are trying to accomplish through the CUP. So this would only be for anyone wanting to address the Planning Commission that does not involve the public hearing. We will do that separately, again, after staff and the applicant get a chance to talk about what the CUP is for and the details behind that. So, at this time, anybody from the public on anything other than the public hearing before us this evening may come forward and address the Planning Commission.

Mr. Waldowski: Paul Waldowski. Today I will talk to you about the 2010 Census. You are all working for numbers about this Quantico Growth Management Committee and what a wonderful opportunity to look at those numbers as planners to see what's going to happen this next decade. And one of the things I want you to keep in mind is if we have all these people who come here with all these jobs, I've been saying this for two decades, you need to plan for a commuter parking garage. And I guess there's an improvements program that is going to be discussed for 2011 to 2016. Last time I was here I talked about the seven districts and I gave you an overview of the County Administrator gives one number in this County while there is seven districts. And there is revenue generated by each seven districts. And there are expenses that come out from each seven districts. And if you look at what was published on the website, even the expenses that came out were not even alphabetized so you couldn't even read them in order, let alone sorted in some kind of ascending/descending order by cost summary. And the most important thing, when you're dealing with expenses, is prioritizing because you just don't have enough revenue to cover all the expenses; because revenue minus expenses in government is supposed to be a reserve, not a deficit. The other thing the census will come up for you is you are going to find in these seven districts that there are apartments, condos, townhouses, trailers, single-family homes, and it's funny how when we do these budgets we can't develop pie charts to show this information and yet we use the Virginia Code to raise our taxes by one penny. Now the reason I initially came to this thing is because about six months ago two of you weren't on this Board and it's a very hot, smelly, trashy day today. And let me read to you from the newsletter from Stafford Meadows. "Trash cans are mandatory in our community. Mandatory is capitalized. All trash must be stored in covered receptacles and not stored in plastic bags. No excess accumulation of storage or trash may be permitted on any balcony, porch or back yard." Well, as you know, I'm not too good with authority figures and I sure as heck am not going to listen to a neighbor who just happens to be a Board of Director. Now there's an ordinance that has a problem. You have time to look at other aspects like zoning R-1 to B-2. And if you read the minutes from yesterday, you will find out that that house was fifty years old. So, if you want to contact me, yhavehoas@gmail.com. Good day.

Mr. Howard: Thank you Mr. Waldowski. If there is anyone else from the public that wishes to make public comments, again, not involving tonight's public hearing on the CUP for the car wash, you can do so by stepping forward and coming to the podium. Seeing no one advance themselves, we will close this part of the meeting which is the public presentations. And we will now move into the public hearing on the CUP 2900084 which is a Conditional Use Permit for White Oak Car Wash. And we will hear from Mr. Hess from staff.

PUBLIC HEARINGS

8. CUP2900084; Conditional Use Permit - White Oak Car Wash - A request for a Conditional Use Permit to allow a car wash within a B-1, Convenience Commercial Zoning District, on a portion of Assessor's Parcel 54-59 consisting of approximately 3.65 acres, located on the south

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side of White Oak Road at Southside Drive and Potomac Avenue within the George Washington Election District. This development would include a full service car wash within a building approximately 6,000 square feet in size. **(Time Limit: July 6, 2010)**

Mr. Hess: May I have the floor computer please? Tonight staff brings to your attention item number 8, Conditional Use Permit CUP2900084, White Oak Car Wash. The applicant is Leming and Healy, P.C., Attorneys. Debrarae Karnes is representing the owners. The owners are Charles and Leslie Lee. The subject parcel is Assessor's Parcel 54-59; it's a portion of the parcel. The size of the portion of the parcel is approximately 3.65 acres. The request is to obtain a CUP for a car wash facility in a B-1, Convenience Commercial Zoning District. The existing use is undeveloped. The existing location is on the south side of White Oak Road where Southside Drive and Potomac Avenue intersect White Oak Road. Here is an aerial photograph of the property. Now, the red line outlines the entire piece of property. It splits and I will show you on the next slide. Overall, the property is approximately six and a half acres. As you can tell looking at it, there is a significant amount of residential development along the northwest, down to the west, along the south, and there is some undeveloped properties here and then some light intensity commercial development to the north. But it is a predominantly residential area. Here is a zoning map. The red line is what the limits of the CUP do cover. It's the top portion of the property with a little triangular piece right here on the other side of White Oak Road. So, you can see the property is split with B-1 to the north and R-1 to the south. It is surrounded mainly by R-1 zoned properties with B-1 properties to the north and one B-2 property to the east. Here is a picture of the Land Use Map. The entire area is designated for suburban residential uses. Here are some site photographs. This one is taken from the northeast, standing northeast, facing southwest, standing right in the middle of Potomac Avenue facing towards the subject property, which is where the tree coverage is right here. This one is taken from the north facing south, standing approximately on the edge of Hoyt Street facing directly across where the subject property is at. And finally, this one is taken from the northwest facing southeast, again, the subject property right here in the front of the picture. Here is a picture of the Generalized Development Plan. You see the overall plan shows the facility located to the front of the property. The property slopes downward in topography towards the back end of the property where there appears to be an intermittent stream. I apologize about the blue shade there; I don't know what that's about. So, there are identified wetlands right in this area. Some steep slopes, as well, identified. As mentioned in the staff report, the property is split-zoned with no proposed development on the southern portion of the B-1 section right here or the R-1 which you can't see, it's been cut off. The site is entirely vegetated with deciduous canopy and understory trees. Here is a zoomed-in shot, a close-up of the facility to be constructed. It is going to be approximately 6,000 square feet in size and approximately twenty-five feet in height. The car wash facility is proposed to be a full service car wash with one bay. The parking area is located to the front between White Oak Road and the facility. As you can see, the internal circulation would give like an S type motion; as you circulate through the property, you go to the rear of the building to enter into the facility right here where label number one is the drop-off area. The customer drops off the car then the employees vacuum it, they take it through the car wash, then number 2 right here is the pick-up area for the customer where they will pick up the car. And then hand-drying as well after it goes through the wash bay. There is proposed one commercial entrance right here onto White Oak Road. The applicant is proposing to construct a right turn lane, as you can see the curve starts right there and then it tapers as well. There is a three foot berm that goes along the east, the north and the west of the property. And there is also, you can't really see it but the writing is right here, it's a proposed six foot tall opaque fence along the western side of the facility. I believe it is going to be right on the peak of the berm. Unfortunately you can't see the colors on this one...

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Mr. Howard: Mr. Hess, can you go back to the previous slide? On Southside Drive, you are saying the proposed tapered lane is going to cross Southside Drive at the point of intersection on White Oak?

Mr. Hess: That is correct. It looks to slightly cut it off. The applicant will, since it's thirty foot prescriptive, it looks as though the applicant is going to have to acquire some property in order to be able to construct the taper lane right there.

Mr. Howard: So, where would the intersection of Southside Drive and White Oak be after that?

Mr. Hess: I guess it would be further back. I guess the stop sign would be right about here. If you look at the... I don't have a good picture of it, but the stop sign is somewhat further back from where Southside Drive actually connects with White Oak Road. I'm not quite sure. The engineer is here; he could maybe explain this a little better than I can about how it's going to ultimately turn out once the taper and turn lane are put in. I hope that answers your question.

Mr. Howard: Okay. We'll ask the engineer, thank you.

Mr. Hess: Here's a picture of the architectural rendering, the elevation. Staff had pointed out throughout the report that this building seems to have a residential theme to fit with the character of the area. There is another rendering picture you've got that shows height and lengths and all that stuff. The building is proposed to be approximately twenty-six and a half feet tall. It is predominantly going to have a brick face to it with stucco and tempered glass. There is a pitched green roof; it's going to be a metal roof. And there is lighting facilities on the building all along the front, sides and rear. Some of the conditions staff drafted were to limit the hours of operation, limit the building height and have the architectural rendering you just saw be built to substantial performance as far as architectural style, materials and colors. Again, this is to help fit in with the residential theme. There is going to be a utilization of the berm, the fence and evergreens, all to help enhance the screening of the proposed facility from adjacent residential properties. Staff also recommended prohibiting attention-getting devices, prohibited outdoor storage of goods and other displays, again to prevent visual distractions from the adjacent residential properties and the people driving along White Oak Road. Also, conditioned site lighting to be directed inward on the facility itself, limit the use of exterior speaker systems and require wider conservation measures. This is the list of criteria of which staff uses to determine whether the project meets the standards of issuance for this permit. And some of the positive aspects that staff pointed out were that the conditions would help offset the potential negative impacts, we felt that the low intensity commercial use would be consistent with adjacent commercial uses in the area. We also felt that the building design really gave a residential feel to it and was oriented towards that way as far as features were concerned. The one negative aspect that staff pointed out was that it is not consistent with the Land Use Map. As I pointed out earlier, the Land Use Map recommends suburban residential uses in the area; however, we felt that the purpose of these uses were to provide retail shopping and personal uses that could serve the adjacent property owners. And staff believes that this car facility will achieve that goal, this function in the County. So, with that staff recommends approval with the conditions as shown in the staff report. Any questions?

Mr. Howard: Thank you. Any questions for staff? Mr. Fields.

Mr. Fields: Could we go back to the map that shows the road alignment there, the entrance alignment and all that? There we go. Why are we not looking at making the entrance to the car wash align with Hoyt and Southside into forming something of a logical intersection there?

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Mr. Hess: We did look at that. That was something that was put in the staff report. We looked at taking the entrance to the car wash and to align it with Hoyt Street so that way we could get a good ninety degree intersection with White Oak Road. In talking with VDOT, it seemed pretty difficult to do considering that now you are moving the right turn and taper lane a little bit further down White Oak and there was a discussion that there was a grade difference, a significant grade difference of five to seven feet between Southside Drive and White Oak Road. There was going to have to be some grading down of White Oak Road in order to meet that. And then there was also talk about taking Southside Drive and having it go directly east; it would actually go into the commercial entrance and then go north. It seemed as though VDOT wasn't in favor of looking at that. They really wanted to get the right turn lane with the taper.

Mr. Fields: Obviously, there just seems to be some issues. Particularly coming out of the car wash and trying to turn left onto White Oak Road against Potomac Avenue, Hoyt and Southside, all on a fairly high volume, high speed road. I mean, it's a highway, not a street.

Mr. Hess: Right. It's forty-five miles per hour in that area.

Mr. Fields: Well, yeah, right, in theory. Okay, well there will be lots of questions and lots of opportunities to talk about that. I just wondered how we ended up with that because there are obviously some questions about that.

Mr. Hess: Sure.

Ms. Kirkman: Mr. Chair, I have a follow-up question to that.

Mr. Howard: Yes Ms. Kirkman.

Ms. Kirkman: Was there any discussions with VDOT to limit exiting traffic to right turns only?

Mr. Hess: A right in/right out?

Ms. Kirkman: Yeah.

Mr. Hess: That was not something that was discussed.

Ms. Kirkman: Because I also share the same concern that turning left out of that just looks like an accident waiting to happen.

Mr. Hirons: Mr. Chairman? The property to the east that is B-2, that's a church isn't it?

Mr. Hess: I think the church is a little further down.

Mr. Fields: Mr. Hirons, the church is actually east of Phillips Street. Do you see where Phillips Street is there off the map? The church is east of that.

Mr. Hirons: Thank you.

Ms. Kirkman: Mr. Chair? So, after... if this CUP is approved, will there then be a subdivision of the property to separate off the portion that this is not an approved use for?

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Mr. Hess: I'm sorry, what was the question again?

Ms. Kirkman: So, this property has a split zoning.

Mr. Hess: Right, it's split zoned.

Ms. Kirkman: The property that is zoned I think it's R-1, car washes are not an allowed use in R-1.

Mr. Hess: Correct.

Ms. Kirkman: So, will that property be subdivided off into a separate parcel if this CUP is approved?

Mr. Hess: I believe not, simply for the fact that the limits of the CUP are strictly for the B-1 portion. They don't go outside onto the R-1 portion. It's only for the B-1 portion of the property.

Ms. Kirkman: But doesn't that create enforcement issues? I mean, in terms of here you're using the car wash and here you're not?

Mr. Hess: I mean, again, part of the application submission is to turn in a boundary survey. The boundary survey was charted just specifically for the B-1 portion. So, if there was an enforcement issue as far as it carrying over to the R-1 portion, there would be a means for violation of some sort because that would be outside the limits of the CUP. So, that's we had to base it off of. So, if someone did come in and say that the car wash was going up to the R-1 portion, we could show them the boundary survey as far as it covers the area that it covers. So the conditions, the car wash, all apply to the B-1 portion only, not the R-1 portion.

Ms. Kirkman: But then to enforce that, you would have to go on the property, you would have to get the owner's permission or administrative warrant to do that, you would have to do aerial photography to establish whether or not they've gone over it. Was it ever discussed with the applicant subdividing off the separately zoned parcel?

Mr. Hess: No, it was not.

Ms. Kirkman: Thank you.

Mr. Howard: Any other questions for staff? No? At this time, we will bring the applicant up. Thank you Mr. Hess.

Ms. Karnes: Good evening Mr. Chairman, members of the Planning Commission. My name is Debrarae Karnes and I am here representing Leming and Healy and the applicant, Leslie Lee. Mrs. Lee is proposing to build a full-service car wash and I've got a little bit more extensive presentation but, first of all, I want to directly answer a few of the questions that you guys posed. Obviously you are picking up the fact that the main issue here is transportation based on the alignment of the adjacent roads. Although, I will point out to you that these same transportation issues wouldn't be there if the parcel developed with a higher intensity by-right use. Someone asked, and I guess Jamie, can we show the picture of the site? Can we kind of zoom in a little bit there? Okay. Someone asked on Southside Drive whether the stop sign would be moved back somewhat because of the taper. And it will, but there will be no... the right-of-way already exists to submit the taper so there will be no need to acquire additional land. Someone else asked had there been any discussion about aligning the entrance

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with Hoyt Drive. And, I will tell you, this project has been years in the making; unusual for a Conditional Use Permit. And some of that time literally was taken up by repeated meetings with VDOT concerning the design of this entrance. And I think staff summarized it correctly; at one point we had literally two different designs on the table. One aligning with Hoyt and the design you see here today. And VDOT very strongly preferred the design you see here today primarily, as I understand it, because they wanted to make sure they could acquire the right turn lane on White Oak which they felt trumped every other improvement possible. And, if you'll bear with me to give you a little history of this, I will bring the engineer up if you desire and he can compare the two options and discuss why VDOT decided that this current transportation design was preferable. But the short and sweet story here is that this is an undeveloped parcel in an area where, as you heard staff conclude, the development of a lower intensity commercial use would probably be preferable to having additional residential entrances off of either road you see here before us. The development of this parcel is limited to the front part which is relatively flat and it is designed to be a full service facility meaning you're going to have at least twenty employees manning the site. Car wash is a relatively lower intensity commercial use and this site, because of its transportation issues, seemed better and more appropriate for a lower intensity use that doesn't have a lot of prime time traffic. Someone asked what would become of the residential portion to the back. To be frank, we never discussed subdivision with staff simply because we think it's facially obvious that there is not going to be any development on the rear of that site and we specifically did not provide for any kind of passage or isle to get to the rear of the site. That we always thought would remain open space. If the Commission is concerned about possible residential development, we would be glad to discuss and work with the Commission to see about additional conditions that give you that assurance. I will point out that there is wetlands at the rear of the site which would also constrain development. I am very impressed with the architectural designs that were designed for this site. They illustrate I think compatibility with the residential neighborhood and the applicant has gone to some expense to provide these. I think that the site will be an immense improvement, from a transportation perspective and otherwise, from the existing vacant site. When I went out there my first time to visit the place, I had a hard time finding it and I think a right turn lane is going to substantially improve traffic out there. Now, having said all of that, I will take any questions you have or I'm going to bring the engineer up, if that's your inclination, and have him discuss the two alternatives. And Mr. Chairman, I will mention that I had knee replacement surgery nine weeks ago so at some point you might see me sitting down on this chair. It doesn't mean I'm ignoring you or taking your questions any less seriously.

Mr. Howard: Actually, it's good to see you up and about, but certainly we understand. The last time you were here you said the same thing but you didn't take advantage of the chair. So, by all means, take advantage of that chair. Let's wait for a moment and let's bring it back to the Commission to see if there are any questions for Ms. Karnes.

Mr. Fields: Not at this moment.

Mr. Howard: Not at this time? Okay, so we would like engineer to come forward.

Ms. Karnes: Sure. This is David Beale and I think he can quite competently explain it. He may have an exhibit for you if we can put it on the visualizer and we'll take it over to Jamie.

Mr. Howard: The visualizer is over by Stacie so I'm not sure how that's going to work.

Ms. Karnes: We'll give it to Joey.

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Mr. Howard: Mr. Beale, can you introduce yourself and the company you work for?

Mr. Beale: Yes sir. My name is David Beale and I work at Web and Associates. I've got a couple more copies.

Mr. Howard: Sure, if you want to give us some hard copies, that's great. We can share. While those are being passed out, I think all of us are a little bit concerned. The issue is if you come to the stop sign on Southside and someone comes into the lane to make an attempt to turn right or go the car wash, you really don't know where they're going until they actually pass you. So you have to remain at the stop sign until that vehicle actually either turns right on Southside or actually passes you. If you start to go, right, because you think they're making a right turn down the street that you are exiting from, you are going to get hit broadside.

Mr. Beale: Well, it's not a...

Mr. Howard: It's a deceleration lane, right?

Mr. Beale: Right.

Mr. Howard: Which will also function as the right turn lane to come onto Southside.

Mr. Beale: The taper.

Mr. Howard: Yes.

Mr. Beale: That's right.

Mr. Howard: That doesn't make any sense. I am actually shocked that that's something that VDOT actually wants to do. I just find it remarkable.

Mr. Beale: I can tell you what they expressed to me. If you have the drawing, we had the entrance directly across from Hoyt. We realigned Southside to "T" into that new access point and there are two issues there. The entrance at that location, because of the grade elevation that Joey touched on, the change in grade between White Oak and Southside is so much that you could not construct a right turn lane and taper between White Oak and Southside. You physically couldn't make that work with the change in grade there. So, VDOT's thought was we would rather have the turn lane and taper where we can get in on White Oak than not have a turn lane and taper at all. The other issue is...

Mr. Howard: Did that come up in your discussion if you're on Southside and you're trying to... how do you know where the person is turning? How would you know? You won't know until they pass you which is really not the norm for an intersection, right? They don't really teach you that in driver's ed.

Mr. Beale: Well, I think if you're at the stop sign and a car comes in front of you, you wait till he passes you or he's in...

Mr. Howard: But you won't know their right turn signal is on; you're making an assumption that they are going to make a right turn on the street versus really turning to come into the car wash and you start to move.

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Mr. Beale: I think you wait in either case. Whether he stays on White Oak or he's in the decel lane, you wait until he passes you before you make the turn.

Mr. Howard: Do you live in Stafford?

Mr. Beale: No. But the taper...

Mr. Howard: People come to a stop sign... if you're making a right turn, and you're slowing down, and your speed is dramatically different than it was moments ago, most drivers are going to assume you are making a right turn. I think it's a real dangerous situation based on the graph or the drawing. It's just one man's opinion here.

Mr. Beale: The other situation that VDOT considered in moving the entrance to the far east side of the property is that you don't have site distance. With the vertical alignment of White Oak, you don't have site distance in the west direction directly across from...

Mr. Howard: You said there was an elevation issue in terms of a slope. What is the percentage of the slope? The rendering you showed us, what is the percentage of slope that, I guess it's south...

Mr. Beale: You mean between Southside and White Oak?

Mr. Howard: Right.

Mr. Beale: I'm not sure of the exact percent.

Mr. Howard: It looks fairly flat according to the drawing you presented to us, unless the lines aren't right.

Mr. Fields: What happens down through there, if I might help a little bit. What you have off of White Oak is because of how old that part of the County is, all of the side roads, White Oak has been repaved and reconstructed over the years and basically the bed of White Oak just goes up and up and up and every side road, it's not necessarily major topography that goes off to the side, basically what it is, is that White Oak Road gets several feet higher than the adjacent roads and so every entrance in and out of White Oak is like a steep thing like that. That's part of the issue here; all the length of White Oak, every single entrance.

Ms. Kirkman: But, Mr. Chair, if I could just...

Mr. Howard: Yes, Ms. Kirkman?

Ms. Kirkman: Why can't that be engineered?

Mr. Howard: That's a great question.

Ms. Kirkman: I mean, if we can cut off the tops of hills and push them down into ravines, why can't a couple of feet difference be engineered?

Mr. Beale: I mean, you could rebuild Southside and you could lower White Oak but I don't think this development could justify that cost in order to get...

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Ms. Kirkman: I'm very concerned about this whole... I also, and maybe staff or you would be more appropriate to answer this, I thought there were certain distance requirements between access points and I don't see hardly any separation between all these different access points.

Mr. Beale: Right. Between our proposed entrance and Southside is about 170 feet.

Ms. Kirkman: I thought it was like 250 feet for VDOT. Joey, maybe when the engineer is done you can comment on the VDOT access standards.

Mr. Howard: Did you meet with VDOT Mr. Beale? Were you a part of that?

Mr. Beale: Yes sir.

Mr. Howard: Did that come up at all? With VDOT? The distance?

Mr. Beale: Yes, we discussed all these... we only have Southside and White Oak...

Mr. Howard: I think Ms. Kirkman is referring to there were new standards issued, I forget the number, 225 or there was something I don't know how many months ago where VDOT... are you familiar with those?

Mr. Beale: Yes sir. We submitted prior to those standards going into effect. They weren't applicable at the time of our meetings.

Ms. Kirkman: Would this meet those standards?

Mr. Beale: I would have to check; I don't know.

Mr. Hirons: I think you had mentioned at one point earlier that another problem with the plan that you gave us here was the site line to the west. Is that because of the curve in the road?

Mr. Beale: The vertical curve; it drops down too quick. So as the cars come up that hill...

Mr. Hirons: The entire road?

Mr. Beale: Right.

Mr. Hirons: And how far is it from this entrance on your plan here that's aligned compared to your plan where it's not aligned? What's the distance difference between this entrance here and this entrance down here?

Mr. Beale: About 150 feet.

Mr. Hirons: Has it improved the site lines that much that VDOT has accepted that?

Mr. Beale: Yes. We can maintain site distance where the entrance is shown.

Ms. Kirkman: And staff said there wasn't, but I just wanted to confirm with you, that there was no discussion about right in/right out entrance?

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Mr. Beale: Not that I recall.

Ms. Kirkman: Okay.

Mrs. Hazard: Mr. Hess points out, or the staff report points out, that a commercial entrance permit would also in the future have to be obtained from VDOT. What does that entail? I know that's a broad question but where does that fit in here? Does that go into some of the requirements that Ms. Kirkman gave up about how many entrance lanes or what does that mean? What is that next layer, even if we got to that point, with this commercial permit? What would that require?

Mr. Beale: Is that for me?

Mr. Howard: Whoever can answer it, either Mr. Beale or Mr. Hess.

Mr. Beale: Well, when we submit a site plan, we are going to have to meet all the requirements of a commercial entrance which we can do at this location. It just goes through another review. I believe, and I don't want to speak for staff, but I believe they wrote the condition on the conformity to the GDP to allow VDOT to change their mind at the time of site plan to put it in a different place. People changed and the thought process changed on what's the best interest, that we would have that flexibility on the site plan to relocate it.

Mrs. Hazard: I believe I would raise that to the extent it's great to have flexibility but this is a pretty big issue to many of us too on where is the entrance going to be for you even too to put in all that money and have VDOT come back and say well, gosh, we've really looked at it now and it has to be down here. I'm just trying to get a sense of what do you have to show there and are we going to meet it, or can you.

Mr. Beale: With as many meetings as we've had with VDOT and the County, it would be my hope that they didn't change their mind. But I've been through the process enough to know that they change their mind. What we didn't want to have to do is come back through a Conditional Use Permit process because our GDP wasn't in conformity, the site plan wasn't in conformity with the GDP.

Mrs. Hazard: I understand that; I just wanted to point out that since right now the proposed commercial entrance is still murky, for lack of a better word. Thank you.

Ms. Kirkman: Could you specify exactly what are the types of standards that are a part of meeting a commercial entrance permit requirement? Is it just things like it has to be paved or how does it take into account the safety issues that have been raised here?

Mr. Beale: Certainly pavement is a part of it. Site distance is a big part. The geometry of the entrance, it has to meet a certain standard. They have an access management worksheet that we have to fill out that dictates your turn lane and taper length.

Ms. Kirkman: But it won't, in any way, address the fact that there are one, two, three, four other roads that come to an intersection in close proximity to one another.

Mr. Beale: Not specifically in the commercial entrance standard.

Ms. Kirkman: Okay, thank you.

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Mr. Beale: I think the old standard was fifty feet they had to be apart. They had to have a fifty foot section between the end of one radius and the start of the next one. We don't have conflicting lefts so that wasn't an issue.

Mr. Fields: Any discussion, I don't suppose there was because there's not other plans out, but once again, would there be capacity, was there thought? I know it's adjacent to an R-1 property but it's a couple of smaller parcels and then another B-2 parcel. What about the possibility, the future interconnecting possibilities, etcetera?

Mr. Beale: I believe staff had outlined in their report that one of the conditions was an inter-parcel connection to the east.

Mr. Fields: Because obviously the hope is not to have a thousand independent commercial entrances on a major road; it's not even a secondary road, it's a primary road trying to carry the major portion of eastbound traffic from that part of the county all the way down to King George. It's too bad that other parcel is not... this would be a much better access to the parcel by having an access point further down White Oak Road and having this part of a set of inter-parcel connections.

Mr. Beale: We did look at other alternatives early on with VDOT as far as closing Southside, a cul-de-sac in Southside, and I believe it was the schools, that a school bus uses that route. I think they pick up in Towering Oaks and they couldn't make the right at the intersection of Towering Oaks and White Oak. The school bus couldn't make the right without getting into the opposing lane on White Oak so the school bus driver comes down Southside and that's why we couldn't cul-de-sac. We had another layout early on.

Mr. Fields: Could we go back to the aerial photograph of that area and see if we can get a little bit of perspective there? So, I see; you come out Towering Oaks to the left, right, and it's actually an acute angle turn.

Mr. Beale: Right; here.

Mr. Fields: That's what the school bus can't do, right?

Mr. Beale: Right. They pick up here and then they come here. And she can't make that turn without coming out into this lane. So the school bus driver comes this way.

Mr. Fields: So, Southside Drive, I assume, serves as the general right turn vehicle for people of that whole population, right? I mean, even though a school bus can't, that's a difficult turn to make even if you're in a car if you are going right on White Oak.

Mr. Beale: Certainly less than ninety.

Mr. Fields: Yeah, it's a tough angle. Do we know how many vehicle trips per day are currently on Southside Drive?

Mr. Beale: I may have it in my folder; I could look.

Mr. Fields: Or the combined Towering Oaks/Southside sort of number. I mean, they sort of function as a unit right there.

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Mr. Beale: If I had to guess, I would say it was somewhere around 300 or thereabouts, in that order of magnitude. I can check.

Mr. Fields: So, there are potentially more trips currently on Southside Drive then there are in and out of, according to your number which is 205 daily trips for the car wash? That seems to be a little bit... obviously we've got a lot of things we have to talk about and resolve long term, I am just trying to get as many of them out in the open with all of the Commissioners in this initial presentation. We have a little bit of a concern that if you've got 300-some individual residential vehicle trips per day on Southside and 205 for the car wash, then I'm all for the car wash; I think it's a great project. It's a good idea but I don't know that you want to degrade the quality of the transportation patterns out of Southside to accommodate the car wash, if there are more trips on Southside currently than the car wash will have. Was that part of the discussion? How you balance the interests of all the people that use Southside Drive as part of their daily existence versus the interests of the car wash?

Mr. Beale: I know Mr. Howard doesn't agree with me but, when we left it with VDOT, I think the consensus was that having the taper between the lane on White Oak and the stop sign was an additional buffer between that traffic and that was an improved condition from what was there now. Or at least as good.

Mr. Fields: So, ultimately, no matter what we sort of negotiate collectively between the applicant, the property owner, the citizens of the area, the Planning Commission, the Board of Supervisors, ultimately VDOT is saying they reserve the right to put that final location wherever they see is appropriate, irrespective of the conditions? So we can't trump VDOT in terms of conditioning and locking down this location?

Mr. Beale: That's my understanding. We can't get a land use permit to put in our commercial entrance without meeting their approval.

Mr. Fields: You know, I'm not shooting the messenger here, David. You understand the concern is if we're asking to approve a CUP which conveys with the property essentially until a condition is broken or something else happens, we're being asked by the applicant, reasonably enough, to approve the conditions so they can operate their business and be successful there. But we are being asked to some degree, it seems like, blindly without being able to know exactly what our final outcome is.

Mr. Beale: Well, maybe slightly but not completely. I mean, we've been through the meetings with VDOT, we have our best intentions of keeping the entrance the way it is. That's the goal. The other thought is, and Debrarae mentioned this earlier, if the B-1 portion of the site were to develop by-right with another use which could be more intense, we would just be working directly with VDOT on an entrance location with no input from the Planning Commission.

Mr. Fields: Right, if it was a non-CUP use. I understand that.

Ms. Kirkman: Except for if there were certain subdivision ordinances about residential access points to primary roads that would govern that. So, I will take issue with this is better than what would go in there by-right.

Mr. Fields: This is B-1 zoned already.

Mr. Howard: This parcel is B-1.

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Mr. Fields: They could do by-right commercial use there with the current zoning that didn't require a CUP and we wouldn't even be talking about it.

Ms. Kirkman: But they were talking about this is better than the residential.

Mr. Fields: No, they were talking about this is better than the by-right commercial.

Ms. Kirkman: Oh, okay.

Mr. Howard: Mr. Beale, the fifty foot variance that, I don't know what direction that would be; it's probably east of the location or possibly west, on Southside. VDOT feels like that fifty foot... I understand the tapered lane once you go past Southside, but to have it prior to that intersection making that available for the car wash, I'm not sure I really understand that logic. They just did that on 610 and Mine Road, where the Walmart is. There's a 7-Eleven, there's a diner and they turned the deceleration right-hand turn lane into one long lane. And there is a fender bender there every weekend, once or twice, because people don't know what is going on. They don't know where you're turning, who's going where; people are trying to pull out of Walmart making a right, they think people are turning into the Walmart, no, maybe they're turning into the 7-Eleven but the people coming out of the 7-Eleven hope they're turning into the 7-Eleven. No, actually they're going to Mine Road. So, it's really, really confusing and I don't understand the thought process. I know they are trying to improve the "levels of service" but, this is a similar design or worse because you've got a higher speed limit here and people adjusting their speed that much, going from forty-five to fifteen miles per hour to either just decelerate to the car wash or that street, I think it's really going to be... I mean, I wouldn't want to come out of that intersection myself because I'm going to get hit.

Mr. Rhodes: Mr. Chairman, is there a chance of getting VDOT to come to the next meeting because it seems the applicant has had several options thrown on the table and they are just trying to respond to VDOT's request.

Mr. Howard: Well, I think there's an underlying issue and I was going to ask Mr. Beale, or Ms. Karnes might want to comment, this is because you want access to 218, right?

Mr. Beale: We just want access.

Ms. Kirkman: Mr. Chair, could we get the aerial back up?

Mr. Howard: I would believe this is because the applicant wants access to 218, not Southside.

Ms. Kirkman: So, here's my question. Why couldn't Southside be closed off and Towering Oaks extended to a "T" intersection up to White Oak through that undeveloped parcel so that what would be the closed off portion of Southside Drive serves as the access to the car wash which would go into Towering Oaks which would then be a "T" intersection with White Oak?

Mr. Beale: I think that's a great idea. This parcel here is a fee simple private ownership.

Mr. Howard: It's zoned B-1.

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Mr. Beale: So, there's another owner there that would have to... either the County would have to condemn or they would have to participate somehow, and then we would have to rebuild Southside. But I think from an engineering standpoint, that would be the best alternative to the whole...

Ms. Kirkman: Because that would eliminate the issue of the right-hand taper lane and it would also eliminate what has me really concerned is the left turn out of the car wash with Potomac Avenue and Hoyt Street being right there.

Mr. Fields: That's not easy as it is.

Ms. Karnes: Mr. Chairman, I just wanted to respond to one of the questions posed two questions ago. Does the applicant have a preference for accessing White Oak? Well, no. Candidly, if the world was perfect, we would rather be on White Oak. But, quite frankly, we went to VDOT and we said we will build either option. You tell us what you want us to do and, quite frankly, at that time we were dealing with the former County transportation planner, Sara, and Sara at first recommended that we bring both options to the Planning Commission but then the recommendation changed basically indifference to VDOT, that VDOT thought the entrance that you see here in the plan with the taper and the right turn lane at the end of the day was preferable. So, that's quite honestly the applicant's position. She has always been willing to have either access.

Mr. Howard: Okay, thank you. I think Ms. Kirkman's suggestion is a great one. Closing a portion of that off to the left and make it a "T". And then you are also suggesting close Southside Drive to the right, is that right Ms. Kirkman?

Ms. Kirkman: Yeah. I'm not suggesting closing Southside to the left; just the Southside access to White Oak on the right. That would be closed off.

Mr. Fields: And Southside would just be the access, it would continue east past the last residence there as the access point to the car wash.

Ms. Karnes: And I'd point out again just the issue with the school buses.

Ms. Kirkman: Well, presumably, if Towering Oaks were extended into a "T" intersection, school buses could navigate those, right?

Ms. Karnes: And the other issue I would bring up and I guess this is for County Attorney, I have not yet seen a case where the County was willing to condemn.

Mr. Fields: The one thing with fee simple ownership of that entire parcel, that you basically have to be willing to purchase that entire parcel because bisecting it, you would render it valueless for further development.

Ms. Karnes: And we would have to run the numbers but the transportation improvements already are running pretty considerably for a low intensity commercial use on property that is partially already zoned B-1.

Ms. Kirkman: But you wouldn't have the right turn lane that you are constructing.

Ms. Karnes: Like I said, we would have to run the numbers.

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Mr. Howard: Any other questions for the applicant? Okay, thank you very much. We will now open the public hearing on the CUP2900084. Those wishing to address the Planning Commission, whether you are in favor or you are not in favor, you may do so now. You can just step up to the podium and, again, you have three minutes to address us. We actually will not answer each person individually. If you bring something up that has not been discussed or that is a very salient point, we will make an attempt after the public comment session is over to get you an answer tonight while you are here, or at least bring it up as an open question to make sure it gets answered should there be a second session on this. So, anyone wishing to come forward may do so. We just ask that you introduce yourself, tell us where you live, the green light you go, you've got three minutes. The yellow light means there's about a minute left and the red light means you should conclude your thoughts. So, anyone wishing to come forward may do so now.

Karen Talley: They are trying to make the car wash look residential but it isn't residential. It's a very quiet residential area. I believe there is a Pro Trucks across the street. They have very few cars in and out of there to cause a problem for us. Padrino's has very slow cars coming in there to cause us problems. There have been numerous accidents on that little strip where they are talking about making the pull-over or the right lane. I've been there three years taking care of my grandmother who just passed away in February. I've witnessed three accidents; one was very close to coming into Mr. Young's yard whose property is right beside the proposed car wash. It almost came into his yard until it came and hit the tree in front. They're talking about making Southside Drive as an access road or cut-through, our property is very close to that road. We just don't want to see a lot of traffic like 218 coming up through there. The most traffic that is on that Southside Drive is just us going to work and coming home. The property that they are putting the car wash on was a residential area years ago. When I was a little girl I played with the girl that lived there. I don't know what else to say other than it is a residential property. There is Giant Food which is commercial, 7-Eleven, FasMart, all that is... they have easy access to them but we just feel that this would prohibit, you know, us getting out too because sometimes it is a very blind spot to the right when I'm trying to get to Giant, watching the traffic come up and down. It's not very fast traffic but people trying to turn on Hoyt Street or the next left lane, there's honestly brakes squealing, fender benders. You could probably go back in accident reports and see the ones that I'm not even mentioning myself tonight. I think that's it.

Mr. Howard: Thank you.

Donald Young: I'm the property right next to where they proposed the car wash. And I'm not for it or against it either way but that intersection there is dangerous. I've lived there my whole life; I'm 49 years old. I've been in an accident at that intersection. It's totally blind; when you are going east on 218 and you're coming up the crest of the hill, you've got no line of site to see there. That accident where the guy almost landed in my yard, he overshot that median; he was going way too fast and he was drunk, but he still went across it all the way into that empty lot where the car wash is going to be. So, whatever they do, I don't want all the traffic coming down Southside. It's got enough traffic on it now; too much for me. And just coming from either direction... when I'm coming east on 218, like coming from the Giant and I have to stop to wait to turn in, I've got my eyes on the mirror because people are coming up behind you and they ain't looking. They are on the gas and that's the way I got hit. I was sitting there waiting and Bam! a guy hit me in the back. So either way, there's tons of accidents that happen there and, whatever they want to do to get in and out of the place, I don't know, but it's not going to be easy and it's not going to be pretty. That's about all I got to say. Thanks.

Mr. Howard: Thank you.

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Carol Williams: I do not live on Southside Drive right now. I grew up there, my mother still lives there; I live in Argyle Hills. I come back and forth and take care of her everyday, multiple times a day. There are lots of issues here. I mean, my notes are all over the place. There are four homes there that have been there forever. My mother's home is over 100 years old. And we can't forget those people. We can't forget the four of us; three of us showed up. The fourth person was sick tonight so she wasn't able to come tonight. The traffic is awful. That idea of a cut-off lane, that is just an impossible situation. Your comment about extending Towering Oaks out to White Oak Road... a horrible idea. There are four other houses there and we have to live with that. And cutting that off, what are you going to do? You're going to cut off one end and then the other end... there's no way to get to those four houses. I'm against the whole idea of a car wash there anyway. I know it's supposed to look residential or whatever, it just seems inconsistent and congruent with the neighborhood, the nature of it. We can't forget that there are already businesses across the street, including a church. There's a bingo, you know, there's lots of traffic on that other little street, that other little curved street. If I could have the days back where my father walked me down to Whitaker's to buy penny candy, I would have that. But those days are gone. I know development is inevitable. I just wish we could do something a little less crazy, for lack of a better term. And also, people don't tend to use those deceleration lanes the way they should. My observation is nobody ever uses that entrance to Giant off of White Oak Road; they all turn onto Town and Country. And the people who are trying to turn into the FasMart right there at the corner, most of them just speeding into that turn lane and, if you are trying to turn onto Town and Country, people are kind of just running over you. So, anyway, I have questions but... oh, school buses. There are other children on Southside Drive in addition to the people on Towering Oaks, at least one child. And if you cut off that one end of Southside Drive and only have the one entrance from the other way, it's almost impossible to turn. If you are making a left turn, you're like making a U-turn almost to get into Southside Drive coming from the area of Giant. And four of us, twenty proposed homes in Towering Oaks, they are building them now, they will eventually be there; just a lot of traffic.

Mr. Howard: Thank you.

Paul Waldowski: I the fourth one here for the one that didn't make it. I am not impressed with the architectural design. I'm disappointed with staff. Your evaluation criteria says no health or safety risks to adjacent properties. I think you need to go out there and interview these four people and find out what's going on. Closing off Southside, like she says, what about the school bus? Maybe another business is the concept because you're not thinking about what kind of business this is. What about the peak hours that are going to line up the cars? Look at Gary's Car Wash on 610. At least he's got an infrastructure to handle some overflow aspect and he doesn't even use 610 to enter into that aspect. You have a queuing theory nightmare waiting to happen. The lady said what about the blind spots. What about the wet tires when you walk out of there? Do you think that car is not going to sway? Each of you have had your car washed and you know what happens to the brakes. So you have many, many safety risks. If you pull up in any intersection, you're going to be t-boned, and that's going to be a total serious injury. So, once again, you're missing the whole... I think you're all on the right page. You don't need to defer this, you need to throw it away, make them go back and find some other business. Car washes are not the right business for this type of intersection. You're talking about distances, fifty feet. You're talking about the twentieth century. We have all these distances defined in VDOT for a reason. Now we have traffic lights that have delays so we don't t-bone people in intersections. Most citizens don't even realize those aspects. And, if you're going to do it safely, you need to put some kind of traffic light in that aspect. And if you don't stop it and you let VDOT to continue to keep coming in this County, then we're going to keep on having things just like we have, commuter parking lots where they take up all this horizontal space, they think they have all the

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answers just like, Mr. Chairman you mentioned about the 7-Eleven. Remember, we had the two 7-Elevens, that's why we're in the Guinness Book of Records, and look at the solution. We've created another nightmare for more accidents. So, if you want to support funeral directors, or now we have health care, guess what? Approve it.

Mr. Howard: Thank you. Anyone who has not addressed the Planning Commission wishing to do so may do so now. Seeing no one else in the chamber, we will close this portion of the comment session of the public hearing. I'll bring it back to the Planning Commission for questions. Ms. Karnes, if you would like to address some of the concerns of the citizens.

Ms. Karnes: I'll be real brief here. I think we heard a number of concerns from the residents and I agree that the solution should include responding to the residents of Southside Drive. I will just mention that, you know, I love planning. I love planning and the thing about planning is to make a site, if you can, work even though it's difficult. And I think there is a solution here. I said it before; you can have by-right commercial uses without the Planning Commission's opportunity to condition the site and without getting some of the transportation improvements. I disagree with what one of you said before that the Planning Commission was powerless over VDOT. You have a lot of power in the conditions that you craft. I will point out that this is recommended by staff. We are willing to work with the Planning Commission. One suggestion I have is, you know, the citizens talk about they don't want Southside closed and they are very concerned about site lines. And we heard from VDOT that the reason they wanted this configuration was because they wanted the right-turn lane and because they wanted the site line improved headed west. What I'm wondering is, because of the concerns you guys raised, I wonder if VDOT would consider this configuration; however, removing the taper on the other side of Southside. So, in other words, either the taper or the right-turn lane starts after Southside. I'm wondering if another redesign of Southside will offer additional protection. So, to that end, I'm wondering if it makes sense for us to see if we can meet with VDOT in the next two weeks and come back at the work session at your next meeting and try to hammer some of these things out.

Mr. Howard: Thank you Ms. Karnes. Before I bring it back to the Planning Commission, I do want to thank the residents for coming down. It's not easy to do that; I know everyone's busy. And what the applicant is saying, just so you'll understand, the by-right is this parcel is zoned where a business can actually open up on this property providing that VDOT gave them the okay with whatever their access point was and whatever they designed for some other type of business that falls in that particular zoning. The fact that the applicant needs what's called a Conditional Use Permit requires them to come before the Planning Commission and staff and that's when we get to talk about certain conditions, which is why it's called a Conditional Use Permit. And you saw staff review some of those conditions and that was the aesthetics of the building, the lighting, that was also the hours of operation and some of those other things that are in this Conditional Use Permit. So, just so you understand, there's only so much that the Planning Commission can do; we don't have control over VDOT but, to Ms. Karnes' point, we can certainly influence VDOT and have some discussions and make sure they are aware of the traffic and safety concerns. It's unlikely that you can prevent a business from opening and operating on that parcel because of the zoning, just so you know that. But it doesn't mean you shouldn't get involved and you shouldn't come down and talk and share your views, because they were very helpful. So, I will bring it back to the Planning Commission at this point. And... Mr. Fields?

Mr. Fields: Yes, obviously we need to defer this so first I will make a motion to defer.

Mr. Howard: Is there a second?

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Mr. Mitchell: Second.

Mr. Howard: Alright, discussion?

Mr. Fields: Discussion on the motion to defer, obviously there were a lot of great questions brought by the residents, a lot of great questions by the Commissioners. I've driven around this, looked at it, but I need to get a thorough on-site visit and walk the property, etcetera, etcetera, and really take a look at the inside of this. So, I need to, in the interim, set up a meeting of course with staff, the applicant and I would like to encourage the residents. I believe my contact, as you all probably realize I am the Planning Commissioner for that part of the County, I believe my contact information is on the County website; however, my email address, if you want to jot this down, is peterfields@peterfields.net and my phone number is 540-371-4274. You are welcome to call or comment, particularly those of you that have some notes and some sort of history, the anecdotal oral history of traffic incidents there. Everybody here sort of had personal tales to relate and I think that's significant in trying to work through this. The numbers are great and looking at parcels on flat pieces of paper is okay to a certain degree. But the reality of it is it's a piece of land and it's a bunch of people that live there. So, we've got to figure out how to make this work. So, I'm happy to listen and talk on any of these issues that you might have and further information, particularly email if you can have a couple minutes to jot down some of the specific traffic problems you see, both observation and accidents and just some of the observational flow of it. I live there and I drive through there all the time so I know some of it as well. But I will be happy to talk on it on the phone. Documenting in email of course is helpful for everybody because we have it on paper. But please feel free to contact me on that or have other residents contact me. So, we need to set up these meetings and as soon as we're ready to bring it back to the Planning Commission, I will let you know, Mr. Chairman, and we'll get it back on the agenda. I don't know that we can accomplish that in two weeks or not. There's a time limit of July 6. I promise you and the applicant I will work with all due diligence to get this done as quickly as possible. But there's obviously some pretty serious issues. So, I appreciate the applicant's willingness and openness to look through the problems. I know you're caught in somewhat a set of constraining issues as well and that's fine, I understand that. We'll just try to solve this.

Mr. Howard: Thank you Mr. Fields. Any other discussion?

Ms. Kirkman: I just wanted to add that I don't know what the appropriate engineering solution is but I do know this; that a left turn coming out of that parcel onto White Oak with the two roads directly across from it to me seems like an accident waiting to happen. I'm also very concerned about the length of the right-hand taper and so, whatever the solution is, it needs, from my perspective, it needs to address those two issues. I drive that section of White Oak multiple times a week and it is pretty bad.

Mr. Howard: Thank you Ms. Kirkman. Any other discussion? Just to echo, the concern really is the safety issue and I also drive that route often for a variety of reasons, soccer being one of them down at Duff Park. But I think it has to be addressed. I am sure Mr. Fields will make sure that those issues are addressed. You didn't want to put a time on that though? I know we told you July 6 but...

Mr. Fields: I am reluctant right now because I haven't had the first meeting and I think I've got to see exactly what's on the table before I can give you a time.

Mr. Howard: Okay, fair enough.

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Mr. Fields: Like I said, I promise to do this as quickly as possible. I'm not going to drag my heels but I don't know where the... obviously the right answer here lies in a complex direction that we actually haven't seen presented to us yet. So, seeing there is an as yet unknown answer, I am a little reluctant to give you a time table.

Mr. Howard: Okay, any further discussion? Hearing none I will call for the vote. All those in favor of deferring CUP29000084 signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. All those opposed signify by saying nay. The motion passes 7-0. Thank you very much.

Mr. Fields: Mrs. Baker, I will communicate with you and Mr. Harvey about letting you know who needs to be at the meetings and then we will start trying to put the calendars together. Thank you all very much.

Mr. Howard: Okay, we're going to go back to items 3 and 6 on the agenda. And item 3 is the Reservoir Protection Overlay District and item 6 is the Rappahannock River Overlay District. And I'm going to ask Mrs. Baker to give us an update from last night's Board of Supervisors meeting. I believe one of these, if not both, were addressed and we were given some direction.

6. Rappahannock River Overlay District (Deferred to subcommittee - Peter Fields, Ruth Carlone, Friends of the Rappahannock and Rappahannock River Basin Commission) (Request sent to Board of Supervisors for indefinite postponement)

Mrs. Baker: Actually, item 3 was not discussed. What was discussed was the Rappahannock River Overlay District. If you all recall, we did send a request to the Board asking for some direction on that. The Board discussed the Rappahannock River Overlay as well as the Potomac River Overlay and recommended to send both of those back to you all to take a look at both of those ordinances together, looking at the impacts to the County from that aspect.

Mr. Howard: Alright, so item 3 is actually the Reservoir Protection Overlay which is deferred to May 19th. Okay. So, what we're discussing right now is the Rappahannock River Overlay District and the Potomac River Overlay District.

Mrs. Baker: So, what the Board did was refer, as I said, both of those back to you to look at them together. They did request to report back in six months and to focus on the areas that affect both

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watersheds and to make certain that a new proposed ordinance would be in compliance with State and Federal regulations.

Mr. Howard: Okay. How much time would staff need to bring information back to the Planning Commission for both of those issues, reviewing the State Code and other elements of obviously both the Rappahannock and the Potomac Overlay?

Mrs. Baker: I didn't really get a chance to talk to the staff that would be involved in that. Amber Forestier is one of our Environmental Planners that would be involved in this; she was out today. But I would think perhaps sometime in May that we could come back with some suggestions on how to proceed with that based on the past activities that have occurred with both ordinances and we can make some recommendations to you.

Mr. Howard: So, can we at least say maybe May 5th we can get an update from staff to understand directionally what we have to do and what needs to be worked on.

Mrs. Baker: Okay, certainly. We'll meet with County Attorney as well and get together with the appropriate staff and we can report back to you in May.

Mr. Howard: Okay, great.

Ms. Kirkman: Mr. Chair, I have a question. I don't know whether the staff or the attorney wants to answer this, whoever would be most appropriate. But the suggestion that the ordinance be in compliance with State and Federal regulations, my understanding of the issue regarding the Potomac River Resource Overlay was a procedural issue and not a substantive issue. And my question for either the attorney or staff is was there any Court determination that there was some portion of the Potomac Resource Overlay District that was not in compliance with State or Federal statutes?

Mrs. Roberts: I was not involved with the case but I did speak with Mr. Howard and it's my understanding that there was no determination made. But the attorneys involved, I believe it was Mr. Nugent at the time, had other concerns besides the advertisement, had concerns regarding some of the definitions, had concerns regarding there was a provision about entry onto the property to investigate any alleged violations. So, it's my understanding that there were several problematic concerns in addition to the advertisement. Unfortunately, because I found out this morning this was sent down, I did not get a chance to go through all the memos and the files. But I do plan on preparing that for the Planning Commission.

Ms. Kirkman: Okay, thank you.

Mr. Howard: Thank you Ms. Kirkman. Mr. Fields?

Mr. Fields: Well, I think this is on our plate. I would like to point out what I think has always been a concern about putting these two things together is, among many, is first of all you remember these are two different watersheds. So you have two different tributary strategies developed in terms of goals and objectives related to the Chesapeake Bay Act by the different watersheds, the Potomac Watershed Roundtable and the Rappahannock River Basin Commission; two different bodies thinking because of two completely different trajectories of these watersheds. So, I want to be sure that we're aware of the fact that to think if a unified thing is a little problematic, also a great deal of the Rappahannock watershed is above the fall line, it's non-tidal. The part that's below the fall line and below tidal in the

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George Washington District is radically different in topography in many ways from what was the motivating force behind the Potomac Resource Protection Overlay. So, I'm happy to try to come up with something but I don't think we're going to get very close to a one size fits all because the two watersheds are very, very different from an environmental topological standpoint.

Mr. Howard: Thank you. Any other comments or concerns from the Planning Commission on this you would want staff to address or at least know about today so as they know about the issues they can keep it on the radar screen? Okay, we'll look forward to May 5th and Mrs. Baker getting an update. And Mrs. Roberts, if that can be prepared as well, what were some of the legal reasons and issues so we don't go down those same paths again, that would be very helpful. Okay. That brings us to the Planning Director's Report. Mrs. Baker?

PLANNING DIRECTOR'S REPORT

Mrs. Baker: I do have several items, mostly reporting from the Board's meeting yesterday. Mr. Fields was appointed to the Architectural Review Board. You all had previously requested that he was the one that would serve as the Planning Commission representative.

Mr. Howard: Congratulations Mr. Fields.

Mrs. Baker: His first meeting is next Monday.

Mr. Howard: Did he know that before just now?

Mrs. Baker: Yes. The Board approved the referral of the medical office and clinics definitions to the Planning Commission. So, as soon as I get a signed Resolution from the County Administrator I will forward that to you also and you can review that. They did vote to send back Sycamore Hills to the Planning Commission in order to settle litigation with an agreed order. They deferred the JDH rezoning up on Route 1 to the June 1st Board meeting. They deferred the Onville Retail to the April 20th meeting. That's up on Onville, just off Garrisonville Road. That was actually at the applicants' request; they are working on proffer changes. They also voted to allow the Planning Commission to advertise the additional change to section 14 of the Family Subdivision. You all had sent a request to the Board that you all have the latitude to make that change; there was an omission to the five year portion in the hardship area. So, that ordinance is going to be advertised and it will include that correction. In your package you did receive some information; the new legislation for the Urban Development Areas was included. We will be happy to answer any questions on that. And I believe that is all. No, the last thing was the form based code information that was in your packages. Jamie Stepowany provided that information. He is here if you have any specific questions on the form based code information. Otherwise, if you were planning to get into that with the discussion on the Redevelopment Area, you could certainly do that. I believe that concludes my report.

Mr. Howard: Thank you Mrs. Baker. Yes, we did receive that. I read through it quickly; I didn't dissect it unfortunately. But it was good information there, at least understanding how other municipalities have handled the form based code. And I am certain that we will get into those discussions with the RDA. Mrs. Roberts?

Ms. Kirkman: Excuse me. Regarding Sycamore Hills, and if the attorney wants to jump in on this. Could someone explain to me please how the Board of Supervisors has a role in making any decisions regarding that litigation giving that by State Statute only the...

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Mrs. Roberts: That is the subject of the executive session.

Ms. Kirkman: What executive session is that?

Mrs. Roberts: It's listed as item number 9. It's regarding the pending litigation and the Board's action last night.

Ms. Kirkman: Did we receive any background materials on that?

Mrs. Roberts: Considering it was voted on last night, no.

Ms. Kirkman: Well, my understanding, at least my Supervisor called me and said he had received a report from the County Attorney's office that stated this would be discussed at the Planning Commission meeting, so are you saying the County Attorney's office was unaware this was going to be on our agenda tonight?

Mrs. Roberts: No, I wasn't unaware. It was decided it wouldn't be appropriate to discuss at the Planning Commission until the Board discussed it.

Mr. Howard: And also until we have our executive session as well.

Ms. Kirkman: But, wouldn't it have been helpful to have some background material to prepare for that?

Mrs. Roberts: I didn't know what background material to approve until the Board gave us direction last night.

Ms. Kirkman: Okay, thank you.

Mr. Howard: Mrs. Roberts?

COUNTY ATTORNEY'S REPORT

Mrs. Roberts: Just that, that if you would like to speak about that in the executive session.

COMMITTEE REPORTS

CHAIRMAN'S REPORT

OTHER BUSINESS

9. Executive Session

Mr. Howard: We can; that would be great. So, I just have to read this right? I want to make a resolution for the Planning Commission to authorize a closed meeting. Whereas, the Commission desires to consult with counsel and discuss, in a closed meeting, necessary legal advice regarding a pending lawsuit. Whereas, pursuant to Section 2.2-3711 A.7, of the Virginia Code, such discussions may occur in a closed meeting. So, we need to have a motion on that.

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Mr. Fields: So moved.

Mr. Mitchell: Second.

Mr. Howard: Okay. We'll vote on that. All those in favor...

Ms. Kirkman: Mr. Chair, I'm going to oppose the motion to go into closed session on this issue. Madam Attorney, is there any time sensitive nature on this?

Mrs. Roberts: No. If you would like to defer until the next meeting, that is fine.

Ms. Kirkman: That really is my preference because we don't have any background material going into this.

Mr. Howard: This is a closed session for our attorney to talk to us about a legal issue which has no bearing on what we decide to do when we come out of the session, in particular, about Sycamore Hills. Is that correct?

Mrs. Roberts: Correct. And it might tell us we need another executive session depending on what arises out of this, if more information is needed.

Mr. Howard: Right. So, I would like to hear myself what counsel would like to tell us. We're not going to discuss the subdivision itself while behind closed doors; that we would come back here and do in the public view. So, I'm not sure why we wouldn't want to meet with our attorney.

Ms. Kirkman: As I said, I'm opposing the motion because my belief is we should have been given background information prior to the closed session and that was not provided to us which means we are not fully prepared to go into closed session the way we could have been. So that is why I'm opposing it.

Mrs. Roberts: And as I stated, this came up last night by the vote of the Board of Supervisors.

Mr. Howard: Can we go into a closed door session if it's not unanimous?

Mrs. Roberts: Yes. As long as it's a majority.

Mr. Rhodes: Call for the vote.

Mr. Howard: Okay; two-thirds majority, right? Mr. Rhodes has called for the vote. All those in favor signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

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Mr. Hirons: Aye.

Mr. Howard: Aye. Those opposed?

Ms. Kirkman: Nay.

Mr. Howard: Okay, the motion carries 6 to 1. I will now adjourn for the closed door meeting.

Closed session: 9:01 p.m. until 9:50 p.m.

Mr. Howard: We are back from a closed door executive session and I will be looking for a resolution to certify the actions of the Stafford County Planning in a closed meeting on April 7th. Whereas, the Planning Commission has, on this 7th day of April, 2010, adjourned into a closed meeting in accordance with a formal vote of the Commission and in accordance with the provisions of the Virginia Freedom of Information Act; and whereas, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such closed meeting was conducted in conformity with law; now, therefore, be it resolved that the Stafford County Planning Commission does hereby certify, on this the 7th day of April, 2010, that to the best of each member's knowledge: (1) public business matter lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act was discussed in the closed meeting to which this certification applies; and only such public business matters as were identified in the Motion by which the said closed meeting was convened were heard, discussed, or considered by the Commission. No member dissents from the aforesaid certification. Do I have a motion?

Mr. Mitchell: Motion for approval Mr. Chairman.

Mr. Rhodes: Second.

Ms. Kirkman: Mr. Chair, I'm going to abstain from voting. There was some discussion of some staffing and budget matters that I don't know whether or not they meet the exemption requirements, so I'm going to abstain.

Mr. Howard: Ms. Kirkman, our legal counsel advised us on her opinion on those matters and I believe it was completely appropriate. That was a legal matter and a legal issue she was referring to and advising us on a perspective which she has a right to do as an attorney. That's what an attorney does, it gives you all the things you need to think about. So, why would you not vote on that Ms. Kirkman?

Ms. Kirkman: I've explained my reason for abstaining Mr. Chair.

Mr. Howard: Okay. Mrs. Roberts, what's the rule when that happens?

Mrs. Roberts: She just notes her objection and you can take a vote.

Mr. Howard: Okay. All those in favor of the resolution of certification signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

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Mr. Fields: Aye.

Mr. Mitchell: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Opposed? Okay, the motion carries 6 with one abstention. We'll move to the approval of minutes. Do we have a motion to approve?

APPROVAL OF MINUTES

February 3, 2010

Mr. Mitchell: Motion for approval, Mr. Chairman, of the February 3rd minutes.

Mr. Rhodes: Second.

Mr. Howard: Any discussion? All those in favor signify by saying aye.

Mr. Rhodes: Aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Opposed say nay. The motion carries 7-0. The meeting is adjourned.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 9:53 p.m.

Gordon Howard, Chairman
Planning Commission